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1	STUART F. DELERY					
2	Principal Deputy Assistant Attorney General MELINDA HAAG					
3	United States Attorney ALEX TSE					
4	Chief, Civil Division ANTHONY J. COPPOLINO					
5	Deputy Branch Director CAROLINE LEWIS WOLVERTON					
6	District of Columbia Bar No. 496433 Senior Counsel					
7	Civil Division, Federal Programs Branch U.S. Department of Justice					
8	P.O. Box 883 Washington, D.C. 20044					
9	Telephone: (202) 514-0265 Facsimile: (202) 616-8470					
10	E-mail: caroline.lewis-wolverton@usdoj.gov					
11	Attorneys for Defendant CHUCK HAGEL					
12	UNITED STATES DISTRICT COURT					
13	NORTHERN DISTRICT OF CALIFORNIA					
14	SAN FRANCISCO DIVISION					
15						
16	MARY JENNINGS HEGAR, JENNIFER HUNT, ALEXANDRA ZOE BEDELL, COLLEEN FARRELL, and SERVICE WOMEN'S ACTION	CASE NO. C 12-06005 EMC				
17	NETWORK,	CTIDIH ATION AND IDDORGEDI				
18	Plaintiffs,	STIPULATION AND [PROPOSED] ORDER TO CONTINUE INITIAL CASE MANAGEMENT				
19	V.	CONFERENCE SET FOR JULY 18, 2013 AND ADR DEADLINES				
20	CHUCK HAGEL, Secretary of Defense,					
21	Defendant.					
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Defendant Chuck Hagel, ¹ Secretary of Defense ("Secretary") and Plaintiffs Mary			
Jennings Hegar, Jennifer Hunt, Alexandra Zoe Bedell, Colleen Farrell, and Service			
Women's Action Network (collectively, "the parties"), by and through their respective			
counsel, hereby stipulate as follows:			
1. On November 27, 2012, Plaintiffs filed their Complaint for Declaratory and			
Injunctive Relief challenging as unconstitutional the 1994 direct ground combat definition			
and assignment rule, and the Court issued an Order Setting Initial Case Management			
Conference and ADR Deadlines;			
2. On January 24, 2013, the Secretary rescinded the 1994 direct ground combat			
definition and assignment rule and directed the Military Services to submit plans to him by			
May 15, 2013, for implementation of this policy change;			
3. In light of the above, on January 29, 2013, the parties filed a stipulation with			
the Court agreeing to meet and confer within three weeks of the deadline for submitting the			
implementation plans and to allow the Secretary thirty (30) days after that meet and confer			
to respond to the Complaint;			
4. On February 7, 2013, the parties filed a stipulation and proposed order with			
the Court to continue the initial case management conference and ADR deadlines, and on			
February 8, 2013, the Court ordered revision of the initial case management conference and			
ADR deadlines set forth in the November 27, 2012 Order as follows:			
6/15/2013 Last day to: meet and confer re: initial disclosures, early settlement,			
ADR process selection, and discovery plan; file ADR Certification			
signed by Parties and Counsel; file either Stipulation to ADR Process			
or Notice of Need for ADR Phone Conference			
Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Chuck Hagel,			
Secretary of Defense, is automatically substituted for Leon Panetta, former Secretary of Defense, who is named in the Complaint.			

Chuck Hagel, Secretary of

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7/11/2013 Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report, and file Case Management Statement per the Court's Standing Order re Contents of Joint Case Management Statement

7/18/2013 Initial Case Management Conference

- 5. Consistent with the parties' agreement to meet and confer within three weeks of the May 15, 2013 deadline for the Military Services' submission of their implementation plans, the parties held a telephone conference on May 30, 2013. During the conference, undersigned counsel for defendant conveyed that the Military Services have submitted their implementation plans to the Secretary and that the plans are pre-decisional and deliberative and therefore will not be disclosed publicly or to Plaintiffs. Undersigned counsel for defendant further conveyed that, consistent with the National Defense Authorization Act of 2013, section 526, H.R. 4310, the Department of Defense ("DoD") plans to report to Congress in July 2013 on the feasibility of developing gender-neutral occupational standards for military occupational specialties currently closed to women. Counsel for defendant further stated that DoD anticipates that the report will provide some information about the Services' implementation plans.
- 6. In light of the information provided by counsel for defendant, the parties have agreed to hold a further meet-and-confer by no later than August 20, 2013. The parties have stipulated that the Secretary will have thirty (30) days after this further meet and confer to respond to the Complaint, and a stipulation to that effect has been filed with this Court. As a result, the parties respectfully submit that it is appropriate to continue the Case Management Conference and related deadlines as well.
- 7. The parties therefore request that the Court continue the scheduling dates established by the February 8, 2013 Order so that they will occur after the parties' meet and confer (which will occur by August 20, 2013). Specifically, the parties request that: the June 15, 2013 deadline for them to meet and confer and to file ADR-related materials be continued to August 30, 2013; that the Initial Case Management Conference be continued

1	from July 18, 2013, to October 3, 2013, which is 14 days after the Secretary's response to		
2	the Complaint is due; and that the deadline for the parties' Rule 26(f) Report, initial		
3	disclosures or statement of objection in Rule 26(f) Report, and Case Management Statement		
4	be continued to September 12, 2013.		
5	ACCORDINGLY, the parties respectfully request that the Court revise the initial		
6	case management conference and ADR deadlines set forth in the February 8, 2013 Order as		
7	follows:		
8	8/30/2013	Last day to: meet and o	confer re: initial disclosures, early settlement,
9		ADR process selection,	, and discovery plan; file ADR Certification
10		signed by Parties and C	Counsel; file either Stipulation to ADR Process
11		or Notice of Need for A	ADR Phone Conference
12	9/26/2013	Last day to file Rule 26	(f) Report, complete initial disclosures or state
13		objection in Rule 26(f)	Report, and file Case Management Statement
14		per the Court's Standin	g Order re Contents of Joint Case
15		Management Statement	t
16	10/3/2013	Initial Case Management Conference	
17	IT IS SO STIPULATED.		
18	DATED: June 7, 2013		
19			
20	MUNGER, TOLLES STEVEN M. PERR		STUART F. DELERY Principal Deputy Assistant Attorney General
21	ROSEMARIE T. RING, ESQ.		MELINDA HAAG United States Attorney
22	AMERICAN CIVIL LIBERTIES UNION FOUNDATION OF NORTHERN CALIFORNIA, INC. ELIZABETH GILL, ESQ.		ALEX TSE Chief, Civil Division
23			ANTHONY J. COPPOLINO Deputy Branch Director
24			
25	/s/ Stayon M. Darry		/a/Canalina I ania Walantan
26	<u>/s/ Steven M. Perry</u> <u>/s/ Caroline Lewis Wolverton</u> STEVEN M. PERRY CAROLINE LEWIS WOLVERTON Attorneys for Plaintiffs U.S. Department of Justice (Electronic signature authorized Verbally to counsel)		-
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	NO. C 12-06005 EMC		

NO. C 12-06005 EMC

STIPULATION AND [PROPOSED] ORDER TO CONTINUE INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES

1	PURSUANI	TO THE PARTIES' STIPULATION, IT IS HEREBY ORDERED	
2	ТНАТ:		
3	The initial case management conference and ADR deadlines are revised as follows:		
4	8/30/2013	Last day to: meet and confer re: initial disclosures, early settlement,	
5		ADR process selection, and discovery plan; file ADR Certification	
6		signed by Parties and Counsel; file either Stipulation to ADR Process	
7		or Notice of Need for ADR Phone Conference	
8	9/26/2013	Last day to file Rule 26(f) Report, complete initial disclosures or state	
9		objection in Rule 26(f) Report, and file Case Management Statement	
10		per the Court's Standing Order re Contents of Joint Case	
11		Management Statement	
12	10/3/2013	Initial Case Management Conference	
13		6/11 2013	
14	DATED:		
15		Edward M. Ch United States I Judge Edward M. Chen	
16			
17		DISTRICT OF CE	
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NO. C 12-06005 EMC STIPULATION AND [PROPOSED] ORDER TO CONTINUE INITIAL CASE MANAGEMENT CONFERENCE AND ADR